

Sec.

- (c) Federal procurement of low-noise-emission products.
- (d) Product selection.
- (e) Waiver of statutory price limitations.
- (f) Tests of noise emissions from products purchased by Federal Government.
- (g) Authorization of appropriations.
- (h) Promulgation of procedures.
- 4915. Judicial review.
  - (a) Petition for review.
  - (b) Additional evidence.
  - (c) Stay of agency action.
  - (d) Subpenas.
- 4916. Railroad noise emission standards.
  - (a) Regulations; standards; consultation with Secretary of Transportation.
  - (b) Regulations to insure compliance with noise emission standards.
  - (c) State and local standards and controls.
  - (d) "Carrier" and "railroad" defined.
- 4917. Motor carrier noise emission standards.
  - (a) Regulations; standards; consultation with Secretary of Transportation.
  - (b) Regulations to insure compliance with noise emission standards.
  - (c) State and local standards and controls.
  - (d) "Motor carrier" defined.
- 4918. Authorization of appropriations.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 4365 of this title; title 15 section 2706; title 16 section 228g.

**§ 4901. Congressional findings and statement of policy**

(a) The Congress finds—

(1) that inadequately controlled noise presents a growing danger to the health and welfare of the Nation's population, particularly in urban areas;

(2) that the major sources of noise include transportation vehicles and equipment, machinery, appliances, and other products in commerce; and

(3) that, while primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce control of which require national uniformity of treatment.

(b) The Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare. To that end, it is the purpose of this chapter to establish a means for effective coordination of Federal research and activities in noise control, to authorize the establishment of Federal noise emission standards for products distributed in commerce, and to provide information to the public respecting the noise emission and noise reduction characteristics of such products.

(Pub. L. 92-574, § 2, Oct. 27, 1972, 86 Stat. 1234.)

## SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-609, § 1, Nov. 8, 1978, 92 Stat. 3079, provided: "That this Act [amending sections 4905, 4910, 4913, 4918, 6901, 6903, 6907, 6913, 6922, 6923, 6925, to 6928, 6947, 6961, 6962, 6964, 6972, 6973, 6977, and 6981 to 6984 of this title and section 1431 of former Title 49, Transportation, and

enacting provision set out as a note under section 1431 of former Title 49] may be cited as the 'Quiet Communities Act of 1978'."

## SHORT TITLE

Section 1 of Pub. L. 92-574 provided that: "This Act [enacting this chapter, amending section 1431 of former Title 49, Transportation, and enacting provisions set out as notes under this section and section 1431 of former Title 49] may be cited as the 'Noise Control Act of 1972'."

## FEDERAL COMPLIANCE WITH POLLUTION CONTROL STANDARDS

For provisions relating to the responsibility of the head of each Executive agency for compliance with applicable pollution control standards, see Ex. Ord. No. 12088, Oct. 13, 1978, 43 F.R. 47707, set out as a note under section 4321 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4903 of this title.

**§ 4902. Definitions**

For purposes of this chapter:

(1) The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) The term "person" means an individual, corporation, partnership, or association, and (except as provided in sections 4910(e) and 4911(a) of this title) includes any officer, employee, department, agency, or instrumentality of the United States, a State, or any political subdivision of a State.

(3) The term "product" means any manufactured article or goods or component thereof; except that such term does not include—

(A) any aircraft, aircraft engine, propeller, or appliance, as such terms are defined in section 40102(a) of title 49; or

(B)(i) any military weapons or equipment which are designed for combat use; (ii) any rockets or equipment which are designed for research, experimental, or developmental work to be performed by the National Aeronautics and Space Administration; or (iii) to the extent provided by regulations of the Administrator, any other machinery or equipment designed for use in experimental work done by or for the Federal Government.

(4) The term "ultimate purchaser" means the first person who in good faith purchases a product for purposes other than resale.

(5) The term "new product" means (A) a product the equitable or legal title of which has never been transferred to an ultimate purchaser, or (B) a product which is imported or offered for importation into the United States and which is manufactured after the effective date of a regulation under section 4905 or 4907 of this title which would have been applicable to such product had it been manufactured in the United States.

(6) The term "manufacturer" means any person engaged in the manufacturing or assembling of new products, or the importing of new products for resale, or who acts for, and is controlled by, any such person in connection with the distribution of such products.

(7) The term "commerce" means trade, traffic, commerce, or transportation—